

The bill clerk read the nomination of Indira Talwani, of Massachusetts, to be United States District Judge for the District of Massachusetts.

### CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill clerk read as follows:

### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of James D. Peterson, of Wisconsin, to be United States District Judge for the Western District of Wisconsin.

Harry Reid, Patrick J. Leahy, Mazie K. Hirono, Dianne Feinstein, Al Franken, Jack Reed, Amy Klobuchar, Robert P. Casey, Jr., Sheldon Whitehouse, Benjamin L. Cardin, Tom Harkin, Barbara Boxer, Richard Blumenthal, Edward J. Markey, Richard J. Durbin, Charles E. Schumer, Elizabeth Warren.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that the debate on the nomination of James D. Peterson, of Wisconsin, to the United States District Judge for the Western District of Wisconsin, shall be brought to a close? The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Minnesota (Mr. FRANKEN), the Senator from Minnesota (Ms. KLOBUCHAR), and the Senator from Arkansas (Mr. PRYOR) are necessarily absent.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Arkansas (Mr. BOOZMAN).

The PRESIDING OFFICER. (Ms. BALDWIN). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 56, nays 40, as follows:

[Rollcall Vote No. 135 Ex.]

### YEAS—56

Ayotte	Harkin	Murray
Baldwin	Heinrich	Nelson
Begich	Heitkamp	Reed
Bennet	Hirono	Reid
Blumenthal	Johnson (SD)	Rockefeller
Booker	Johnson (WI)	Sanders
Boxer	Kaine	Schatz
Brown	King	Schumer
Cantwell	Landrieu	Shaheen
Cardin	Leahy	Stabenow
Carper	Levin	
Casey	Manchin	
Collins	Markey	
Coons	McCaskill	
Donnelly	Menendez	
Durbin	Merkley	
Feinstein	Mikulski	
Gillibrand	Murkowski	
Hagan	Murphy	

### NAYS—40

Alexander	Chambliss	Corker
Barrasso	Coats	Cornyn
Blunt	Coburn	Crapo
Burr	Cochran	Cruz

Enzi	Johanns	Rubio
Fischer	Kirk	Scott
Flake	Lee	Sessions
Graham	McCain	Shelby
Grassley	McConnell	Thune
Hatch	Moran	Toomey
Heller	Paul	Vitter
Hoeven	Portman	Wicker
Inhofe	Risch	
Isakson	Roberts	

### NOT VOTING—4

Boozman	Klobuchar
Franken	Pryor

The PRESIDING OFFICER. On this vote the yeas are 56, the nays are 40. The motion is agreed to.

### NOMINATION OF JAMES D. PETERSON TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF WISCONSIN

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of James D. Peterson, of Wisconsin, to be United States District Judge for the Western District of Wisconsin.

### CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Nancy J. Rosenstengel, of Illinois, to be United States District Judge for the Southern District of Illinois.

Harry Reid, Patrick J. Leahy, Mazie K. Hirono, Dianne Feinstein, Al Franken, Jack Reed, Amy Klobuchar, Robert P. Casey, Jr., Sheldon Whitehouse, Benjamin L. Cardin, Tom Harkin, Barbara Boxer, Richard Blumenthal, Edward J. Markey, Richard J. Durbin, Charles E. Schumer, Elizabeth Warren.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Nancy J. Rosenstengel, of Illinois, to be United States District Judge for the Southern District of Illinois, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Minnesota (Mr. FRANKEN), the Senator from Minnesota (Ms. KLOBUCHAR), and the Senator from Arkansas (Mr. PRYOR) are necessarily absent.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Arkansas (Mr. BOOZMAN).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 54, nays 42, as follows:

[Rollcall Vote No. 136 Ex.]

### YEAS—54

Baldwin	Harkin	Murray
Begich	Heinrich	Nelson
Bennet	Heitkamp	Reed
Blumenthal	Hirono	Reid
Booker	Johnson (SD)	Rockefeller
Boxer	Kaine	Sanders
Brown	King	Schatz
Cantwell	Landrieu	Schumer
Cardin	Leahy	Shaheen
Carper	Levin	Stabenow
Casey	Manchin	Tester
Collins	Markey	Udall (CO)
Coons	McCaskill	Udall (NM)
Donnelly	Menendez	Walsh
Durbin	Merkley	Warner
Feinstein	Mikulski	Warren
Gillibrand	Murkowski	Whitehouse
Hagan	Murphy	Wyden

### NAYS—42

Alexander	Fischer	McConnell
Ayotte	Flake	Moran
Barrasso	Graham	Paul
Blunt	Grassley	Portman
Burr	Hatch	Risch
Chambliss	Heller	Roberts
Coats	Hoeven	Rubio
Coburn	Inhofe	Scott
Cochran	Isakson	Sessions
Corker	Johanns	Shelby
Cornyn	Johnson (WI)	Thune
Crapo	Kirk	Toomey
Cruz	Lee	Vitter
Enzi	McCain	Wicker

### NOT VOTING—4

Boozman	Klobuchar
Franken	Pryor

The PRESIDING OFFICER. On this vote the yeas are 54, the nays are 42. The motion is agreed to.

### NOMINATION OF NANCY J. ROSENSTENGEL TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF ILLINOIS

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Nancy J. Rosenstengel, of Illinois, to be United States District Judge for the Southern District of Illinois.

### NOMINATION OF PAMELA K. HAMAMOTO TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE OFFICE OF THE UNITED NATIONS AND OTHER INTERNATIONAL ORGANIZATIONS IN GENEVA, WITH THE RANK OF AMBASSADOR

The PRESIDING OFFICER. Under the previous order, the clerk will report the Hamamoto nomination.

The bill clerk read the nomination of Pamela K. Hamamoto, of Hawaii, to be Representative of the United States of America to the Office of the United Nations and Other International Organizations in Geneva, with the rank of Ambassador.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. Madam President, I ask unanimous consent that all time be yielded back.

The PRESIDING OFFICER. Without objection, it is so ordered.

All time is yielded back.

The question is, Will the Senate advise and consent to the nomination of

Pamela K. Hamamoto, of Hawaii, to be Representative of the United States of America to the Office of the United Nations and Other International Organizations in Geneva, with the rank of Ambassador?

The nomination was confirmed.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. Mr. President, I ask unanimous consent that the time until 1:45 p.m. be equally divided.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered. Mr. CASEY. Madam President, the Senator from Kansas will speak and then I will follow.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Kansas.

Mr. MORAN. I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### TRIBUTE TO CHARLOTTE LINSNER

Mr. MORAN. Madam President, I am here this afternoon to pay tribute to an exceptional woman in my hometown. She is retiring from a career of aiding victims of domestic violence across Northwest Kansas. Charlotte Linsner in Hays, KS, is concluding more than 25 years of service to Options Domestic and Sexual Violence Services with half of her time in the role as its executive director.

Back home, especially in the rural parts of our State where doors are left unlocked and most people know everyone else, we often think that domestic violence doesn't occur on our streets or in our homes or to people in families that we know. Unfortunately, that is not the reality, and the evidence clearly indicates that is not the case.

Since Options opened its doors 30 years ago under the name of Northwest Kansas Sexual and Domestic Violence Services, 18,000 Kansans in 18 northwest counties have been assisted in seeking a safe environment. There are locations in Hays and Colby, and in addition to providing direct assistance, Options has been instrumental in raising awareness of domestic and sexual violence in our corner of the State.

Almost from the very beginning Charlotte was there working to help those in need. She has offered compassion and strength and hope to those who walked through Options' doors or called the hotline. Her coworkers use words to describe her such as "passion" and "spunkiness" and "one of the nicest people." From my time living in Hays and visiting Options, I can attest to those attributes. These characteristics are what make Charlotte so very effective in her job. Those who come to Options are bruised physically and emotionally, and they find among the staff at Options understanding and expertise. Effective leadership has made this an effective organization.

Last year our State's attorney general presented Options with the Outstanding Victims Service Organization

for 2013, an award at its 16th Annual Crimes Victims' Rights Conference. Mindful that domestic and sexual violence is a scourge not just throughout Northwest Kansas but throughout our State and society, Charlotte told the audience:

Options accepts this award in honor of all advocates and domestic/sexual programs across the State. Advocates go to work each day to find safety for victims.

Charlotte would be the first to say that great things cannot happen through one person's work alone. So I also wish to commend all who staff Options, who sit on its board of directors, who raise money, and the outside groups and individuals who tirelessly work to protect the vulnerable in our communities. I also want to acknowledge her husband Larry and her four children, who have supported her as she has devoted so much of her life and so much of her time to helping other families.

Charlotte is retiring but not until July 1, and for as long as she is on the job she is hard at work to solidify her agency's mission. She will lead a capital campaign with the goal of \$250,000, and once the day comes, she will mentor the new executive director. Not only that but she plans to still work once a month at the shelter house as an advocate, which is how she started her career.

Charlotte leaves huge shoes to fill for the next executive director, but with the foundation that Charlotte and others have laid throughout the community in community partnerships and generous benefactors, Options will be helping those in need—our neighbors, our friends, sometimes even our relatives—for years to come.

Thank you, Charlotte. Best wishes. I am glad you live your life in a way that is committed to helping others.

I yield the floor.

The PRESIDING OFFICER. Under the previous order, with regard to the Hamamoto nomination, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

The PRESIDING OFFICER. The Senator from Pennsylvania.

#### SYRIAN ATROCITIES

Mr. CASEY. Thank you, Madam President.

Madam President, I rise this afternoon to discuss the recent events in Syria and the United States' response to the crisis.

Yesterday I had the opportunity to meet with President Ahmad Jarba of the Syrian National Coalition to hear firsthand about the Assad regime's intolerable violations of international law and human rights norms. I will begin by reviewing the situation as it stands today.

More than 3 years since the fighting first began, the conflict in Syria rages on. The fighting has driven more than 2.4 million refugees out of the country and displaced 6.5 million more Syrians

inside of Syria itself. The violence is so terrible that the United Nations has stopped estimating the death toll. According to the Syrian Observatory for Human Rights, at least 150,000 Syrians have been killed. This conflict has had a disproportionate effect on children in Syria. A Save the Children report indicates that at least 1.2 million children have fled to neighboring countries while about 10,000 have died in the violence.

The Assad regime has used every available tactic to terrorize the Syrian people. Some civilians have resorted to eating grass as desperately needed humanitarian and food aid has been withheld from besieged communities. The whirl of helicopter blades above portends barrel bomb strikes that we have heard so much about that could easily land on a school, a hospital or an apartment block. For example, on April 30, Assad's air force dropped a barrel bomb on an elementary school in Aleppo. This attack killed 25 children. This kind of activity by the Assad regime is, in a word, intolerable.

Yesterday the remaining opposition fighters in Homs, once an opposition stronghold, were evacuated under U.N. supervision. If my colleagues here in the Senate have not yet seen the images of Homs, I would urge each of them to take a look at them. The ancient city of Homs is absolutely destroyed. In the midst of this, Mr. Assad declared his candidacy for reelection. Although presidential elections in Syria have never been free and fair, this one that he has declared his candidacy for is a farce, and we can add other words to that as well. This is an attempt by Mr. Assad to legitimize the extension of his brutal rule.

Bashar al-Assad lost his legitimacy a long time ago. What concerns me and so many others is this: Assad believes he is winning. He believes he can starve, bomb, and terrorize the Syrian people into submission. In light of all this it is incumbent upon the United States to take action to change or at least to help to change the momentum on the battlefield. Our national security interests are clear and have become even more clear in recent days. First, the Iranian regime's status as the world's leading state sponsor of terrorism is well established, and its proxies have perpetrated attacks against the United States, Israel, and our allies. Emboldened by the Iranian regime's support, Hezbollah has conducted attacks against U.S. targets and western interests. The Assad regime has been an important conduit between Iran and Hezbollah. As such, they are fighting side-by-side with the regime forces in Syria and providing the regime much needed supplies and financial assistance.

It is also abundantly clear that Russia simply does not share our interests in the region. I guess that is an understatement. Russia has continued to back the regime. It has consistently

blocked U.S. actions in the U.N. Security Council, including efforts to invoke chapter VII authorization to enforce existing Security Council resolutions 2118 and 2139. Russia continues to provide the regime materiel assistance, including ammunition, weapons, airplanes, and spare parts that are keeping the regime afloat. From Syria to Ukraine, it is clear that President Putin's approach to foreign policy is rooted in old Cold War regrets.

The administration has taken steps to respond to the protracted conflict in Syria. Let me outline a few. First, on chemical weapons: The agreement negotiated last fall has led to the vast majority of the Syrian regime's declared chemical weapons stockpiles being removed from Syria. Taking most of these dangerous weapons off the table was a great step forward. However, I remain concerned about reports that the regime could keep the remaining 8 percent of those chemical weapons as an insurance policy.

Equally, if not more, concerning are indications that the Assad regime retains secret stockpiles of chemical weapons that we cannot account for. Further, the regime's use of chlorine gas attacks to terrorize Syrian civilians demonstrates categorically that Assad will never abide by the spirit of that agreement—even an agreement that has led to that 92-percent removal. Here is what he won't fully agree to: to stop using chemical weapons against his own people in clear violation of international law.

Second, on humanitarian assistance, the administration has supported increasing efforts to reduce the suffering. The State Department and USAID must be commended for mobilizing a tremendous aid effort. American taxpayers have contributed over \$1.7 billion in humanitarian assistance both inside of Syria and in its neighborhood. This important assistance has fed, clothed, vaccinated, and sheltered Syrians displaced by the fighting. However, the humanitarian crisis remains, as David Miliband put it, "a defining humanitarian emergency of this century." So much more remains to be done just on the humanitarian challenge in and of itself.

Since the beginning of this conflict I have been calling for a more robust response by the United States. Yesterday I met with Mr. Jarba, the president of the Syrian National Coalition. While we discussed the situation in Syria and while we know this situation is terribly complicated, his bottom line message to me—and I am sure he will be addressing this with other American officials as well—and his message was very clear: Without significant support from the United States of America, the fighting will continue and a political solution will not be reached."

We must act to change the battle's momentum and to fundamentally shift Mr. Assad's calculus. As long as he believes that there are no real consequences for his actions, he will con-

tinue to defy the U.N. Security Council. Consequently, I have sent a letter to President Obama today which asks him to consider some next steps.

Madam President, I ask unanimous consent that my letter to the President dated today be printed in the RECORD.

UNITED STATES SENATE,  
Washington, DC, May 8, 2014.

Hon. BARACK OBAMA,  
*President of the United States, The White House, Washington, DC.*

DEAR MR. PRESIDENT, In recent weeks, Bashar al-Assad's reign of terror has intensified. His forces have used starvation as a war tactic by refusing to deliver desperately-needed food assistance to opposition-controlled areas, bombed an elementary school in Northern Aleppo killing 17 children, rained barrel bombs on residential areas in violation of UN Security Resolution 2139, and regained the former opposition-stronghold of Homs. Meanwhile, he has declared his intention to run for President. The United States has clear national security interests in Syria, in stabilizing the region, ending Assad's slaughter of civilians, and confronting the Iranian regime and Hezbollah. [However, Assad clearly believes he has the upper hand on the battlefield.

First, I commend the work you and your administration have already done to help the people of Syria, a country that journalist Nicholas Kristof called the "world capital of human suffering." The State Department and USAID have mobilized a remarkable humanitarian aid effort thus far. American taxpayers have provided substantial assistance to help those suffering in Syria and the refugee communities in the region. Your administration's agreement with Russia to destroy Syria's chemical weapons has since resulted in the removal of 92.5 percent of Syria's declared stockpile. However, the humanitarian crisis is only expanding as the conflict rages on, and Assad has been deploying chlorine gas to terrorize Syrian civilians and circumvent the chemical weapons agreement.

The U.S. State Department recently highlighted Syria's critical importance to the United States' strategic, long-term interests in its 2013 Country Reports on Terrorism. The State Department's findings that civilians in Syria were primarily the target of terrorist violence are deeply troubling. The report found that Iran and Hezbollah provided critical support to Assad's regime by radically boosting Assad's capabilities and exacerbating the conflict. The report also noted that the Syrian conflict "empowered ISIL [the Islamic State of Iraq and the Levant] to expand its cross-border operations in Syria, and dramatically increase attacks against Iraqi civilians and government targets in 2013."

I remain firmly convinced that a more robust U.S. strategy is needed to change the balance of power on the ground and prevent either of two scenarios from occurring. First, that Bashar al-Assad could bomb and starve out any opposition and thus retain his grip on power in Syria.

Second, as members of your administration have warned, that terrorist organizations could take advantage of the chaos in Syria to establish a new safe haven, like a new Pakistani FATA, from which to launch attacks against U.S. interests.

Yesterday, I met with President Ahmad Jarba, to hear firsthand about the situation on the ground. I urge your administration to continue efforts to help the Syrian opposition bring Assad's tyrannical rule to an end and to stave off extremist influence. The State Department's commitment of \$27 million in non-lethal assistance should be ex-

panded to include additional assistance for the opposition Assistance Coordination Unit and local councils, which are the face of the opposition for Syrian civilians. With U.S. assistance, the opposition can ramp up its efforts to deliver humanitarian assistance and basic services to communities inside Syria.

I am aware of reports that American-made anti-tank rocket systems have made their way to a group of moderate Syrian rebels. Whatever the origin of these systems, I believe their provision can help change the momentum on the ground. However, to take down Assad's helicopters and bombers, the opposition forces need anti-aircraft weapons. If your Administration judges that there are sufficient safeguards available to track and disable such weapons remotely, I would support their deployment to trusted, vetted Free Syria Army commanders. I fully understand the risks of introducing more of these weapons to the region. However, as long as the regime enjoys control of the skies over Syria, its aircraft will continue regularly and indiscriminately raining bombs and killing Syrian civilians en masse. Little else would have such a profound impact on the balance of power on the battlefield.

The international community has clear interests in stabilizing the region and preventing future atrocities. UN Security Council Resolution 2139 requires that "all parties immediately cease all attacks against civilians, as well as the indiscriminate employment of weapons in populated areas, including shelling and aerial bombardment, such as the use of barrel bombs. . . ." Since the resolution's adoption on February 22, Human Rights Watch has documented at least 85 barrel bomb strikes in Aleppo alone. This is intolerable.

I ask that your Administration resume its advocacy for an invocation of Chapter 7 of the UN Charter. Assad continues to violate Security Council Resolution 2139 by deploying barrel bombs against civilians. A tailored and conditional Chapter 7 resolution to respond to the regime's willful disregard of the UN Security Council and the laws of war would not only hold Assad accountable but would also force Russia to take a stand on Assad's continued attacks on civilians.

The Senate has repeatedly voiced its concern regarding the deepening conflict in Syria. In July 2013, the Senate Foreign Relations Committee reported out S. 960, the Syria Transition Support Act, which authorized lethal assistance to vetted elements of the Syrian opposition. In the bill's findings, the Committee noted that it was vital to the United States' national security interests to limit the threat posed by extremist groups in Syria. Last month the full Senate agreed to S. Res. 384, which expressed the Senate's condemnation of the Syrian humanitarian crisis.

The sheer scale of war crimes, human rights abuses, and regional destabilization in the Syrian crisis is, as David Miliband of the International Rescue Committee put it, "a defining humanitarian emergency of this century." As such, it deserves the United States' attention and carefully-considered action. I thank you for your leadership on this important issue and stand ready to help bring this conflict to an end.

Sincerely,

ROBERT P. CASEY, JR.,  
*United States Senator.*

Mr. CASEY. I thank the Chair.

Let me outline some of what I set forth in the letter. First, I asked that the President seriously consider allowing the deployment of lethal assistance to the moderate military opposition. A serious effort to help narrow the gulf between the moderate opposition and

the better-trained and better-equipped extremist fighters would not only boost morale in the Free Syrian Army but could actually change the momentum of the battle. Yesterday President Jarba expressed his commitment to continuing to fight extremist forces. He made that commitment to me, and I am sure he would reiterate it to others. There is no question that there are risks here, but the greater risk is allowing Syria to fall into the hands of extremists and to allow the regime to murder thousands more Syrians and prevail in this conflict. If the administration judges that it has the confidence in Mr. Jarba's pledges and that we have conducted sufficient vetting of key opposition commanders, it should either consider allowing our partners in the region to supply lethal aid or consider providing such weapons ourselves.

I have not and will not advocate for American boots on the ground in this conflict, but giving moderate opposition forces the assistance they need to stem Assad's reign of terror and drive back foreign extremist fighters is in our national interest.

Second, my letter urges President Obama to resume the push for a chapter 7 authorization in the United Nations. Getting Russia to agree to U.N. Security Council resolutions 2118 and 2139 was a difficult task, far more difficult than it should have been considering international law is clear about the deployment of chemical weapons and the use of humanitarian assistance as a tool of war. Enforcement of these resolutions is critical. If Assad does not make good on his commitment to turn over 100 percent—not 92 percent—100 percent of his chemical weapons caches, there should be consequences. If he continues to starve and barrel bomb Syrian children, there must be consequences.

Pressing for a chapter 7 authorization would help us hold both Mr. Putin and Mr. Assad to their commitments. It would also pave the way for the United Nations to ramp up its cross-border humanitarian assistance, which is desperately needed inside of Syria.

When we met yesterday, President Jarba was clear: There will be no momentum behind a political solution until the momentum on the battlefield changes. I have believed that for a long time. The United States has an opportunity not only to help end the suffering in Syria but to send a strong message to those who support the Assad regime, including Russia, Iran, and Hezbollah.

I strongly urge the administration to consider the high stakes of allowing this conflict to continue unabated, and I ask that the administration strongly consider supporting a more substantial effort to properly train and equip the moderate Syrian opposition so they can reject extremist forces, defeat the regime, and begin to rebuild Syria.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

(The remarks of Ms. COLLINS on the Introduction of S. 2307 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Ms. COLLINS. I thank the Presiding Officer and yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

#### PETERSON NOMINATION

Mr. JOHNSON of Wisconsin. Madam President, I am pleased to recommend to the Senate James D. Peterson to be the U.S. district judge for the Western District of Wisconsin.

Jim has deep roots in Wisconsin, having earned a bachelor's, master's, and Ph.D. from the University of Wisconsin-Madison before his first career as an associate professor of film studies at Notre Dame University. After a number of productive and successful years of academic life, his restlessness for intellectual challenge was energized when his wife Sue Collins interested him in the law as she was teaching legal writing at Valparaiso University Law School. They both returned to Wisconsin, where they each obtained their law degrees from the university.

Jim is currently the leader of the law firm Godfrey & Kahn's Intellectual Property Litigation Working Group and has handled a wide variety of commercial and constitutional disputes. He has served as a local counsel in two dozen patent disputes in the Western District of Wisconsin. In addition, he has appeared before the Wisconsin Supreme Court, the Seventh Circuit Court of Appeals, and the Court of Appeals for the Federal Circuit, which hears appeals of patent cases from district courts across the country.

This experience is important for the Western District of Wisconsin, which oversees many complex intellectual property cases. Since 2007 the Western District of Wisconsin has ranked among the top 25 most popular for patent litigation, largely due to the court's speed—commonly referred to as the "rocket docket."

Jim is also the author of numerous academic publications, many of which I had an opportunity to review during his application process. Right after law school he saw firsthand the challenges and requirements associated with being a judge when he served as a law clerk to Hon. David G. Deininger of the Wisconsin Court of Appeals. He has had a challenging and successful career as a legal practitioner. I have no doubt that he will, as a Federal district court judge, excel in yet another career for which he is well suited.

Jim has my full support, and I am happy to recommend him to the Senate for swift confirmation.

I would like to conclude by thanking my colleague Senator BALDWIN for the bipartisan process that resulted in the selection of this well-qualified jurist who will serve Wisconsin's Western District well.

The Western District is currently facing a judicial emergency. U.S. dis-

trict judge Barbara Crabb has continued to serve on the bench despite retiring 4 years ago, and I sincerely appreciate her dedication in the State of Wisconsin during this vacancy.

I have full confidence that with Jim's expertise and experience, he will now be able to fill this void.

I thank the Presiding Officer and yield the floor.

The PRESIDING OFFICER. (Ms. HIRONO). The Senator from Wisconsin.

#### PETERSON NOMINATION

Ms. BALDWIN. Madam President, I rise this afternoon to urge my colleagues to confirm James Peterson for the United States District Court of the Western District of Wisconsin.

I will start where my colleague left off, which is to state that I am proud to have worked with Senator JOHNSON to put in place a nonpartisan Federal Nominating Commission and a process for moving judicial nominations forward, because the people of Wisconsin deserve to have experienced and highly qualified judges working for them, and they deserve to have judicial vacancies filled on a timely basis.

Addressing vacant Federal judgeships in Wisconsin has been a top priority of mine since I was sworn into the Senate last year. I thank Senator JOHNSON for working to find common ground with me on this very important issue for Wisconsin.

Together, we believe James Peterson will be an outstanding Federal district judge, and his experience, qualifications, and expertise will serve the Western District of Wisconsin and our Nation very well.

James Peterson was among those recommended by our nominating commission, and together Senator JOHNSON and I submitted his name to the White House for consideration. I am so pleased President Obama nominated him to serve and that his nomination was reported out of the Senate Judiciary Committee.

For the last 14 years Jim's professional life has been devoted to the practice for the firm Godfrey & Kahn in Madison, WI, where he is the leader of the firm's intellectual property litigation working group. His work on behalf of his firm's national clients has been substantially before the U.S. District Court for the Western District of Wisconsin.

Outside of his practice Jim is a leader in the Western District Bar Association, the mission of which is to work with attorneys, the court, and the public to facilitate the just, speedy, respectful, and efficient resolution of all matters before the court—qualities that have been the hallmarks of the Western District of Wisconsin. In an effort to foster the next generation of great lawyers, Jim is a member of the adjunct faculty of the University of Wisconsin Law School where he has taught copyright law and public speaking workshops.

I am proud to join Senator JOHNSON in supporting this nomination, and I

am proud to come before my colleagues and ask my colleagues to confirm this judgeship. Mr. PETERSON's confirmation today will end a vacancy that has lasted for more than 5 years and has been declared a judicial emergency. We are most grateful for the tireless commitment of soon-to-be really retired Judge Barbara Crabb who has filled in during this vacancy, and we are very grateful for her commitment.

Senator JOHNSON and I agree on this nomination to the U.S. District Court for the Western District of Wisconsin, and our joint support should send a strong message to the entire Senate that he is the right choice for this judgeship. I urge my colleagues to confirm James D. Peterson so he can serve the people of Wisconsin and our Nation.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ENZI. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ENERGY EFFICIENCY AMENDMENT

Mr. ENZI. Madam President, I rise to offer an amendment to S. 2262 that would prevent the Environmental Protection Agency from a massive regulatory outreach. I understand under current procedure we are not allowed to do that, but I will explain it so when I can bring this amendment up, people will already know about it and join me in voting for it. It is similar to an amendment I offered last September to the energy efficiency bill. Unfortunately, the Senate majority leader blocked amendments from being considered. I am hoping that doesn't happen this time.

My amendment is simple and straightforward. It promotes the right of each State to deal with its own problems. It returns the regulation of regional haze to where it properly belongs: in the hands of State officials who are more familiar with the problem and know the best way to address it. I hope my colleagues will support my effort.

The Environmental Protection Agency's move to partially disapprove of the State of Wyoming's regional haze will create an economic and bureaucratic nightmare that will have a devastating impact on western economies. The decision by the EPA ignores more than a decade's worth of work on this subject by officials in my home State and seems to be more designed to regulate coal out of existence than to regulate haze. The haze we most need to regulate, in fact, seems to be the one that is clouding the vision of the EPA as it promotes a plan that would impose onerous regulations on powerplants that will, in turn, pass those increased costs in the form of higher energy prices on to consumers. These are

the middle-class folks we keep talking about. It will also increase the cost for manufacturers, and that will drive them overseas, so that will eliminate jobs. So we are talking about a lot of impact.

That tells me the EPA's purpose is to ensure that no opportunity to impose its chosen agenda on the Nation is wasted. It doesn't seem to matter to them that their proposed rule flies directly in the face of the State's traditional and legal role in addressing air quality issues.

When Congress passed the 1977 amendments to the Clean Air Act to regulate regional haze, it very clearly gave the States the lead authority. Now the EPA has tossed them in the backseat and grabbed the steering wheel to head this effort in its own previously determined direction. That isn't the kind of teamwork and cooperation Congress intended.

The goal of regulating regional haze is to improve visibility in our national parks and wilderness areas. The stated legislative purpose for that authority is purely for aesthetic value and not to regulate public health. Most importantly, the EPA shouldn't be using regulations to pick winners and losers in our national energy market. The cost for this rule is in the billions, and the bureaucratic evaluation says it will still have little or no actual effect. Why would we force the spending of billions for little or no actual effect?

This is a State issue, and Congress recognized that States would know how to determine what the best regulatory approach would be to find and implement a solution to the problem. The courts then reaffirmed this position by ruling in favor of the States' primacy on regional haze several times. The EPA ignored all of that clear precedent and, instead, handed a top-down approach that ignored the will and expertise of the State of Wyoming and other States.

This inexplicable position flies in the face of Wyoming's strong and common-sense approach to addressing regional haze in a reasonable and cost-effective manner.

I invite everybody to come to Wyoming. We have the clear skies. People can see more miles there than people can see here. Of course, a lot of it out here is humidity, I think. But we do not have the regional haze they are talking about. The EPA's approach will be much more costly and have a tremendous impact on the economy and the quality of life not only in Wyoming but in neighboring States as well. Clearly, we cannot allow this to happen.

Every family knows when the price of energy goes up, it is their economic security—costing more—as well as their hopes and dreams for the future that are threatened and all too often destroyed.

The EPA's determination to take such an approach would be understandable if it would create better results

than the State plan. It does not. That is another reason why it makes no sense for the EPA to overstep its authority under the Clean Air Act to force Wyoming to comply with an all-too-costly plan that in the end will provide the people of Wyoming and America with no real benefits.

The plan does not even take into account other sources of haze in Wyoming such as wildfires. Wildfires are a problem on Wyoming's plains and mountains every year. It is a major cause of haze in the West. It makes no sense for the EPA to draft a plan that fails to take into consideration the biggest natural cause of the very problem they are supposed to be solving.

The Forest Service could do a lot of prevention if forest plans did not get delayed.

The State of Wyoming has spent over a decade producing an air quality plan that is reasonable, productive, cost-effective, and focused on the problem at hand. The EPA has taken an unnecessary and unreasonable approach that violates the legislatively granted job of State regulators to address this issue. We cannot afford to increase the cost of energy to families, schools, and vital public services by implementing an EPA plan that will not adequately address the issue of regional haze.

I know my colleagues will see the importance of this matter and support my amendment that will stop the EPA in its tracks and end its interference with Wyoming's efforts to address this issue. It only makes sense to me that Wyoming's plan be given a chance to work. It is more than a 10-year effort, and it will make a difference, and not at the cost that will be imposed.

It is only fair, and it is the right thing to do. I ask for the support of my colleagues.

I thank the Chair and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SANDERS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ELECTION SPENDING

Mr. SANDERS. Madam President, as I think most Americans know, about 4 years ago the Supreme Court rendered a decision, which I happen to believe is one of the worst in the history of the Supreme Court, and that is their decision regarding Citizens United. As a result of that decision, what they said is corporations are people and individuals could spend an unlimited—unlimited—sum of money in elections. By “unlimited,” I mean hundreds and hundreds of millions of dollars, if not billions of dollars—quite as much as they want through independent expenditures.

I think many Americans observed the repercussions of that decision just last month. A gentleman named Sheldon Adelson, one of the wealthiest people

in this country, worth many billions, held what was called the Adelson primary in Nevada. What he did was invite prospective Republican candidates for President to come to Nevada to chat with him, to tell him their views; and if he decides to support one of those candidates, they will end up receiving, in all likelihood, hundreds of millions of dollars.

But it is not just Sheldon Adelson. Probably even more significantly, when we talk about the impact of Citizens United and we talk about the flood of money coming in from the billionaire class to the political process, it is important to talk about the Koch brothers.

I understand there has been a lot of criticism of Majority Leader REID because he has talked about the Koch brothers, but I think the majority leader is exactly right. The issue is not personal. I don't know if the Koch brothers are nice guys or not nice guys; that is not the issue.

The issue is the impact this billionaire family, the second wealthiest family in America, is having on the political process; and, second of all, and even more importantly, what do they stand for? Who are they? Why are they pouring hundreds of millions of dollars into the political process?

I have a problem, to tell you the truth—whether somebody is a right-winger or leftwinger—I have a real problem with these rich guys spending huge sums of money.

But at the end of the day what is important to understand is what do they want? Why are they spending so much money in politics? Why are they supporting candidates throughout this country, running for the Senate, running for the House? Clearly they will be heavily involved in the next Presidential election. What do they stand for? That is the issue.

It disturbs me very much, by the way, that the media hasn't been talking about that. What do these guys stand for? What do they want?

Many Americans know the Koch brothers provided the main source of funding for the creation of the tea party—that is fine—and many Americans know the Koch brothers want to repeal the Affordable Care Act. They have run a lot of ads supporting candidates who want to repeal the Affordable Care Act. That is their view, and that is fine as well.

But what I think most Americans don't know is the Koch brothers want to repeal virtually every major piece of legislation that has been passed in the past 80 years to help the middle class, to help working families, to help the elderly, to help the children, to help low-income people. Their view, their ideological view, is that we should eliminate or substantially cut back on all of those programs.

In 1980, David Koch, one of the Koch brothers, was the vice presidential candidate of the Libertarian Party. In fact, he helped fund the Libertarian

Party in that year. I want to read to you and discuss with you a few of the excerpts from the 1980 Libertarian Party platform that David Koch ran on. People may think: Well, that was back in 1980. But do you know what. It is my impression their views haven't changed one iota; that they are funding many organizations all over this country that essentially espouse those very view views David Koch ran on in 1980.

This is the first quote that was in the 1980 Libertarian Party platform David Koch ran on as a vice presidential candidate and helped fund. He said: "We favor the repeal of the fraudulent, virtually bankrupt, and increasingly oppressive Social Security system."

That is their view. That shouldn't surprise anybody. These guys do not believe government should be involved in health care, in retirement security. It is totally consistent with what they believe.

But when Americans see ads on television paid for by David Koch, I hope they understand these guys eventually want to see—probably not tomorrow—the repeal of Social Security. They want to privatize it, they don't want it to exist.

What is the reality? The reality is the overwhelming majority of the American people disagree with the Koch brothers. The reality is Social Security is probably the most successful Federal program in the history of our country. For more than 78 years, in good times and in bad, Social Security has provided every single benefit owed to every eligible American without delay. That is in good times, bad times, recession, boom, whatever it was. Before Social Security was created, nearly half of seniors lived in poverty. Today, while still too high, that number is 9.1 percent. We have gone from 50 percent down to 9.1 percent largely because of Social Security.

The main point is according to virtually every poll I have seen, including the latest National Journal poll on the subject, 76 percent of the American people do not want to cut Social Security at all, an issue you and I were involved in. They do not want to cut Social Security. They sure as heck do not want to repeal Social Security.

So when you see the ads on television being paid for by the Koch brothers, understand where they are coming from in terms of Social Security.

Let me give another quote, and this is an exact quote from the 1980 platform of the Libertarian Party, David Koch, vice presidential candidate: "We favor the abolition of Medicare and Medicaid programs."

Abolition, what does that mean? It means if you are a senior citizen, 70 years of age, you are not feeling well, you go to the doctor, the doctor diagnoses you with cancer, you are not going to have Medicare there for you. If you don't have a lot of money, how are you going to get the health care you need? Well, you know what. You may not, because according to the

Koch brothers, the Federal Government should not be involved in public health insurance programs such as Medicare and Medicaid.

What happens if you are a low-income person? What happens if your kid is on the Children's Health Insurance Program, called Dr. Dynasaur in Vermont—I don't know what it is called in Hawaii—but it covers all of the States in this country. Millions of kids are getting their health insurance through the Children's Health Insurance Program. What is the Koch brothers' view? We should eliminate it. The Federal Government should not be involved in health insurance.

According to the latest polls I have seen on this subject, 81 percent of the American people do not want to cut Medicare benefits at all and 60 percent of the American people don't want to cut Medicaid benefits at all, because they understand that in these tough times it is terribly important that we have guaranteed health care programs for our people. Yet the view of the Koch brothers is we should end Medicare and Medicaid.

So, again, when you see ads on television, understand who is paying for them.

We have been discussing the minimum wage bill. The Presiding Officer and I agree it is absolutely imperative that we raise the minimum wage. I think \$10.10, the bill we had on the floor last week, is a start. I would go farther, but I think most Americans understand a family breadwinner and a family who is making all of \$7.25 an hour or \$14,000 or \$15,000 a year is not a wage upon which anyone can live.

Yet when you read the platform David Koch ran on—and again, their success has been that where their ideas were thought to be pretty crazy and kooky in 1980—he got 1 percent of the vote and ran because they thought Ronald Reagan was much too liberal in 1980—today these ideas are increasingly becoming mainstream. They are in the Ryan budget passed by the Republican House. They are reflected by actions in the Senate by my Republican Senate colleagues.

One example is when we talk about the minimum wage, some of us think we have to raise it. Their view, what the Koch brothers said in 1980, and I believe it is their view today:

We support repeal of all laws which impede the ability of any person to find employment, such as minimum wage laws.

So this is not a debate about whether you raise the minimum wage to \$10.10. You do what they are doing in Seattle, WA, over a period of time raising it to \$15 an hour, whether you raise it to \$9 an hour, that is not their debate. Their debate is we should repeal the concept of the minimum wage.

What does that mean in real terms? It means that in high-unemployment areas of this country where workers are desperate for jobs, if an employer says: I am going to give you 3 bucks an hour, and you say: I can't live on 3



bucks, and the employer says: Well, I have 20 other people who are prepared to take the job, that is their goal. They do not believe the Federal Government should be involved in providing at least a minimum wage for the workers of this country.

They believe, among other things, that we should abolish the U.S. Postal Service, and I want to get into that. Their view is, again, the Postal Service, a Federal Government program—not a question of having a debate, how do you strengthen the Postal Service, what do you do, and what do you not do—they want to abolish the U.S. Postal Service.

Let me go to another quote from David Koch, which I think maybe is the most interesting of all. This is where they are coming from. This is their philosophy:

We oppose all government welfare, relief projects, and “aid to the poor” programs. All these government programs are privacy-invasive, paternalistic, demeaning, and inefficient. The proper source of help for such persons is the voluntary efforts of private groups and individuals.

I want to put into English what they say. What they are saying is they want to get rid of food stamps, they want to get rid of all nutrition programs, all affordable housing programs, Meals On Wheels Programs, which help vulnerable seniors, congregate meal programs, Head Start—which obviously are important to millions of working families and their children.

So you ask: Well, what happens if I am hungry and there is no food stamp program because they want to get rid of all of these programs, because they think the Federal Government should not be involved in these issues? What do we do when people are hungry when they can't find jobs?

Well, they can go to their local church, they can go to their local charity. Maybe they will get some help, maybe they won't. In other words, we are back to the days of Charles Dickens. We are back to the days of Charles Dickens where ordinary people and lower income people have no rights and no benefits. The only way they get help is if some charity is there to dole out some money.

I don't believe that is where the American people are, and I don't believe that is what the American people want.

Back In 1980, the Libertarian Party had a rather bold proposal, and they said: “We support the eventual repeal of all taxation.”

Essentially what they are saying is no more government. That is it. No more government.

There is going to be a vote in a few minutes, and I am going to see-saw, and I will be back on this issue. But I wanted to point out to what degree these folks, who are worth at least \$80 billion, whose wealth increased last year by \$12 billion, who have indicated they are prepared to spend as much as it takes to elect people who to some de-

gree or another—I am not sure all of the candidates they support agree with everything they say, but they know what they are doing. They are smart.

They are spending huge sums of money to create an America in which the wealthiest people will get huge tax breaks while working families, the middle class, the elderly, the children, and the sick will be left out on the street all by themselves. That is not the vision of America the American people believe in. I doubt there are 5 or 10 percent of the American people who believe in that vision, maybe less than that.

But when you have \$80 billion, and you are worth that much and can spend unlimited sums of money, you will have a huge impact on the political process, and you will have candidates who talk about this perspective, who defend this point of view, because that is where their money or campaigns comes from, rather than talking about the needs of working families or ordinary Americans.

Let me make this last point, and that is this: It was 34 years ago the Koch brothers said:

We urge the repeal of Federal campaign finance laws, and the immediate abolition of the despotic Federal Election Commission.

They have come so far in 34 years that that is now the position of a number of Republicans, including, as I understand it, the chairman of the National Republican Party.

What does that mean? It means if you repeal all campaign finance laws, the Koch brothers and other billionaires will not just be able to spend as much as they want on independent campaign expenditures, they will be able to give money directly to the candidates of their choice.

The PRESIDING OFFICER. All time for debate has expired.

Mr. SANDERS. Let me conclude by saying: I hope everybody pays attention to what the Koch brothers stand for.

With that, I yield the floor.

#### NOMINATION OF INDIRA TALWANI TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MASSACHUSETTS—Continued

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate prior to a vote on the Talwani nomination.

Mr. SANDERS. Madam President, I ask unanimous consent to yield back all remaining time on both sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the nomination of Indira Talwani, of Massachusetts, to be United States District Judge for the District of Massachusetts?

Mr. SANDERS. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Alaska (Mr. BEGICH), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Louisiana (Ms. LANDRIEU), and the Senator from Arkansas (Mr. PRYOR) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Oklahoma (Mr. COBURN).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 94, nays 0, as follows:

[Rollcall Vote No. 137 Ex.]

#### YEAS—94

Alexander	Grassley	Murray
Ayotte	Hagan	Nelson
Baldwin	Harkin	Paul
Barrasso	Hatch	Portman
Bennet	Heinrich	Reed
Blunt	Heitkamp	Reid
Booker	Heller	Risch
Boxer	Hirono	Roberts
Brown	Hoeven	Rockefeller
Burr	Inhofe	Rubio
Cantwell	Isakson	Sanders
Cardin	Johanns	Schatz
Carper	Johnson (SD)	Schumer
Casey	Johnson (WI)	Scott
Chambliss	Kaine	Sessions
Coats	King	Shaheen
Cochran	Kirk	Shelby
Collins	Klobuchar	Stabenow
Coons	Leahy	Tester
Corker	Lee	Thune
Cornyn	Levin	Toomey
Crapo	Manchin	Udall (CO)
Cruz	Markey	Udall (NM)
Donnelly	McCain	Vitter
Durbin	McCaskill	Walsh
Enzi	McConnell	Warner
Feinstein	Menendez	Warren
Fischer	Merkley	Whitehouse
Flake	Mikulski	Wicker
Franken	Moran	Wyden
Gillibrand	Murkowski	
Graham	Murphy	

#### NOT VOTING—8

Begich	Boozman	Landrieu
Blumenthal	Coburn	Pryor

The nomination was confirmed.

#### VOTE EXPLANATION

Mr. BLUMENTHAL. Madam President, I was unavoidably detained and unable to participate in the vote to confirm Indira Talwani to be U.S. district judge for the District of Massachusetts. Had I been present, I would have voted aye.

#### NOMINATION OF JAMES D. PETERSON TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF WISCONSIN—Continued

The PRESIDING OFFICER. The majority leader.

Mr. REID. Madam President, what is the next matter before the Senate?

The PRESIDING OFFICER. The next vote is to occur on the Peterson nomination.

Mr. REID. I yield back the time.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

All time is yielded back.